

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

ALPHONSO CLARK

Plaintiff,

v.

BUFFALO CITY SCHOOL DISTRICT

Defendant.

**NOTICE OF MOTION
TO DISMISS**

INDEX NO.: 21-cv-700

MOTION MADE BY:

Defendant.

**DATE, TIME AND
PLACE OF HEARING**

On a date to be set by the Court
at the United States District Court
for the Western District of New
York.

RELIEF SOUGHT:

Dismissal with prejudice of
certain purported causes of action
contained within Plaintiff's
complaint in favor of the
Defendant pursuant to
Fed.R.Civ.P. 12(b)(6)/12(c) for
failure to state a claim upon which
relief can be granted, costs, and
such other relief as deemed
proper.

SUPPORTING PAPERS:

Declaration of Christopher R.
Poole, Esq., Assistant Corporation
Counsel for the City of Buffalo, *of
Counsel* to Timothy A. Ball, Esq.,
Corporation Counsel, dated June
29, 2021, together with the
accompanying Memorandum of
Law, and all the pleadings and
proceedings before had herein.

ANSWERING PAPERS:

Any answering papers must be served in accordance with the Federal Rules of Civil Procedure and any briefing schedule set by the Court. The Defendant requests the opportunity to submit reply papers.

Dated: June 29, 2021
Buffalo, New York

TIMOTHY A. BALL, ESQ.
Corporation Counsel
Attorney for Defendant

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